

06-16-06

Please type a plus sign (+) inside this box ☐

PTO/SB/21 (6-99)

Approved for use through 09/30/2000. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

<b>Patent Number</b> 6,953,836		
		<b>Issue Date</b> October 11, 2005
		<b>First Named Inventor</b> DESNOYERS, ET AL.
		<b>Group/Art Unit</b> 1647
		<b>Examiner Name</b> LANDSMAN, ROBERT S.
<b>Total Number of Pages in This Submission</b> 11	<b>Attorney Docket Number</b> 39780-2730P1C27	

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> <b>Fee Transmittal Form</b> <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Version with Markings Showing Changes <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition Pursuant to 37 CFR 1.324 Correction of Inventorship in an Issued Patent <input checked="" type="checkbox"/> Executed Statement of Omitted Inventor under 37 CFR 1.324(b)(1) <input checked="" type="checkbox"/> Executed Statement by Assignee under 37 CFR 1.324(b)(3) <input checked="" type="checkbox"/> Executed Statement of Currently Named Inventors under 37 CFR 1.324(b)(2) <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): stamped return postcard
Remarks AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT 08-1641 FOR ANY FEES DUE IN CONNECTION WITH THIS PAPER (Ref. Atty. Docket No. 39780-2730P1C27).		

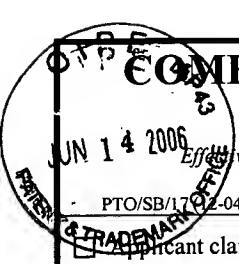
## SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual name	PANPAN GAO, ESQ., REG. NO. 43,626, HELLER EHRMAN, LLP		
Signature			
Date	JUNE 14, 2006	Customer Number:	35489

## CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated below and addressed to: Mail Stop <b>PETITIONS</b> , Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this date: <b>JUNE 14, 2006</b>			
Express Mail Label <b>EL 976 551 952 US</b>			
Typed or printed name	<b>C. ROGERS</b>		
Signature		Date	<b>JUNE 14, 2006</b>

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop \_\_\_\_, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



# COMBINED FEE TRANSMITTAL for FY 2006

Effective 12/08/2004. Patent fees are subject to annual revision.

PTO/SB/1772-04 (Revised) (For payment of 37 CFR 1.17 fees including (f), (g), (h), & (i))

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT (\$)** 130.00

Complete if Known

Patent Number	6,953,836
Issue Date	October 11, 2005
First Named Inventor	Desnoyers, et al.
Examiner Name	LANDSMAN, ROBERT S.
Art Unit	1647
Attorney Docket No.	39780-2730P1C27

## METHOD OF PAYMENT (check one)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None  
☒ Deposit Account

Deposit Account Number: 08-1641 (Atty. Docket No. 39780-2730P1C27)

Deposit Account Name: Heller Ehrman LLP

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below  
☒ Credit any overpayments and charge any deficiencies  
☒ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the deposit account

## FEE CALCULATION (continued)

4. PETITION FEES UNDER 37 CFR 1.17 (f)		Fee Paid
Fee Code: 1462	Fee \$ 400 For petitions filed under: § 1.53(e); § 1.57(a); § 1.182; § 1.183; § 1.378(e); § 1.741(b)	
5. PETITION FEES UNDER 37 CFR 1.17 (g)		Fee Paid
Fee Code: 1463	Fee \$ 200 For petitions filed under: § 1.12; § 1.14; § 1.47; § 1.59; § 1.103(a); § 1.136(b); § 1.295; § 1.296; § 1.377; § 1.550(c); § 1.956; § 5.12; § 5.15; § 5.25	
6. PETITION FEES UNDER 37 CFR 1.17 (h)		Fee Paid
Fee Code: 1464	Fee \$ 130 For petitions filed under: § 1.19(g); § 1.84; § 1.91; § 1.102(d); § 1.138(c); § 1.313; § 1.314	
7. PROCESSING FEES UNDER 37 CFR 1.17 (i)		Fee Paid
Fee Code: 1808 (1803 for § 1.221)	Fee \$ 130 For petitions filed under: § 1.28(c)(3); § 1.41; § 1.48; § 1.52(d); § 1.53(b)(3); § 1.55; § 1.99(e); § 1.103(b); § 1.103(c); § 1.103(d); § 1.217; § 1.221; § 1.291(c)(5); § 1.497(d); § 3.81	130.00

## FEE CALCULATION

### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Applicati on Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Entity Fee (\$)	Small Entity Fee (\$)	Entity Fee (\$)	Small Entity Fee (\$)	Entity Fee (\$)	Small Entity Fee (\$)	
Utility	300	100	500	250	200	100	
Design	200	100	100	50	135	50	
Plant	200	100	300	100	160	80	
Reissue	300	100	500	250	600	300	
Provisional	200	100	0	0	0	0	

**SUBTOTAL (1)** \$ 0

### 2. EXTRA CLAIM FEES

Entity Fee (\$)	Small Entity Fee (\$)	Fee Description
50	25	Each claim in excess of 20 or, for Reissues, each claim in excess of 20 and more than in the original patent
200	100	Each Independent claim in excess of 3 or, for Reissues, each independent claim more than in the original patent
360	180	Multiple dependent claim, if not already paid

Extra Claims		Fee from above	Fee Paid	
Total Claims	-20** =	x		
Independent Claims	-3** =	x		

\*\*or number previously paid, if greater; For Reissues see below

Multiple Dependent x =

**SUBTOTAL (2)** \$ 0

### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof (round up to the whole number). See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s)

Total Sheets	Extra Sheets	Number of each additional 50	Fee (\$)	Small Entity Fee (\$)
-100 =	/50 =		x 250 OR x 125	

**SUBTOTAL (3)** \$ 0

Entity Fee (\$)	Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	
50	25	Surcharge - late provisional filing fee or cover sheet	
130	130	Non-English specification	
2,520	2,520	For filing a request for <i>ex parte</i> reexamination	
920*	920*	Requesting publication of SIR prior to Examiner action	
1,840*	1,840*	Requesting publication of SIR after Examiner action	
120	60	Extension for reply within first month	
450	225	Extension for reply within second month	
1,020	510	Extension for reply within third month	
1,590	795	Extension for reply within fourth month	
2,160	1,080	Extension for reply within fifth month	
500	250	Filing a brief in support of an appeal	
790	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1,510	1,510	Petition to institute a public use proceeding	
500	250	Petition to revive - unavoidably abandoned application	
1,500	750	Petition to revive - unintentionally abandoned application	
50	50	Processing fee for provisional apps (37 CFR 1.17(q))	
180	180	Submission of Information Disclosure Statement	
1,000	500	Request for oral hearing	
790	395	For each additional invention to be examined (37 CFR 1.129(b))	
790	395	Request for Continued Examination (RCE)	
900	900	Request for expedited examination of a design application	

Other fee (specify)

**SUBTOTAL (4+5+6+7+8)** \$ 130.00

\* Reduced by Basic Filing Fee Paid

## SUBMITTED BY

Name (Print/Type) PANPAN GAO, ESQ.

Registration No. (Attorney/Agent) 43,626

Date JUNE 14, 2006

Complete (if applicable)

Telephone 650 324-7000

Customer No. 35489



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent No.: 6,953,836 ) Examiner: Landsman, Robert  
)  
Issued: October 11, 2005 ) Art Unit: 1647  
)  
Title: **PRO844 POLYPEPTIDES** ) Attorney's Docket No. 39780-2730P1C27  
)  
Inventors: Desnoyers, et al. )  
) **Customer No. 35489**  
)

EXPRESS MAIL LABEL NO. EL 976 551 952 US

Date Mailed: JUNE 14, 2006

**PETITION PURSUANT TO 37 C.F.R. § 1.324, CORRECTION OF  
INVENTORSHIP IN AN ISSUED PATENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

This Petition seeks to add Ellen Filvaroff as a joint inventor in the above-identified patent. Ms. Filvaroff was inadvertently and without deceptive intent not included as a joint inventor in the above-identified patent. Enclosed are the following documents in support of this Petition:

- (a) a statement signed by Ms. Filvaroff indicating that the error in inventorship in the above-referenced patent occurred without deceptive intent on her part;
- (b) a statement by the currently named inventors that they agree to the requested change;
- (c) a statement by Genentech, Inc., assignee of the entire title, right and interest in the above-captioned patent, agreeing to the requested change of inventorship; and
- (d) the fee set forth in 37 C.F.R. § 1.120(b) (\$130.00).

06/19/2006 SDENBOB1 00000048 081641 6953836

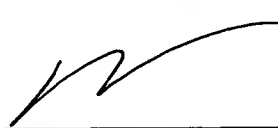
01 FC:1464 130.00 DA

Petition Under 37 C.F.R. §1.324  
Patent No. 6,953,836  
Attorney's Docket No. 39780-2730P1C27

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 08-1641 (Attorney's Docket No. 39780-2730P1C27). Please direct any calls in connection with this application to the undersigned at the number provided below.

Respectfully submitted,

Date: June 14, 2006

  
\_\_\_\_\_  
Ginger R. Dreger  
Reg. No. 33,055

(Paupan Gao 43,626)  
on behalf of  
Ginger Dreger

**HELLER EHRMAN LLP**  
275 Middlefield Road  
Menlo Park, California 94025-3506  
Telephone: (650) 324-7000  
Facsimile: (650) 324-0638

SV 2197042 v1  
6/13/06 4:34 PM (39780.2730)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent No.: 6,953,836 ) Examiner: Landsman, Robert  
Issued: October 11, 2005 ) Art Unit: 1647  
Title: **PRO844 POLYPEPTIDES** ) Attorney's Docket No. 39780-2730P1C27  
Inventors: Desnoyers, et al. ) Customer No. 35489

EXPRESS MAIL LABEL NO. EL 976 551 952 US

Date Mailed:

**STATEMENT OF OMITTED INVENTOR UNDER 37 C.F.R. § 1.324(b)(1)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

I, Ellen Filvaroff, hereby state that I was omitted as an inventor in the above patent. I further state that this omission is due to an error which occurred without any deceptive intention on my part.

Respectfully submitted,

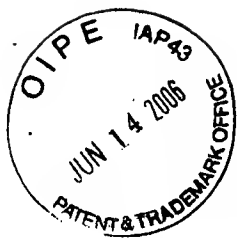
Date:

4/10/06

Ellen Filvaroff  
Ellen Filvaroff

SV 2197049 v1  
4/4/06 2:23 PM (39780.2730)

Statement Under 37 C.F.R. §1.324(b)(1)  
Patent No. 6,953,836  
Attorney's Docket No. 39780-2730P1C27



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent No.: 6,953,836 ) Examiner: Landsman, Robert  
Issued: October 11, 2005 ) Art Unit: 1647  
Title: **PRO844 POLYPEPTIDES** ) Attorney's Docket No. 39780-2730P1C27  
Inventors: Desnoyers, et al. ) Customer No. 35489

EXPRESS MAIL LABEL NO. EL 976 551 952 US

Date Mailed:

STATEMENT BY ASSIGNEE UNDER 37 C.F.R. § 1.324(b)(3)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

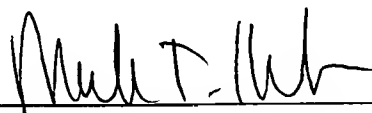
Dear Sir,

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). The assignment is recorded at Reel 012176 and Frame 0450. This assignment represents the entire chain of title of this invention from the Inventor(s) to the Assignee.

The undersigned hereby states that Assignee agrees to the correction of the inventorship of the above-identified patent to include Ellen Filvaroff as a joint inventor.

Respectfully submitted,

Date: \_\_\_\_\_

  
\_\_\_\_\_

Title:

Address: 1 DNA Way  
South San Francisco, CA 94080

SV 2197045 v1  
4/4/06 2:20 PM (39780.2730)

**Mark T. Kresnak, Ph.D.**  
Associate General Counsel-Patent Law  
Genentech, Inc.  
Authorized Corporate Signatory

Statement Under 37 C.F.R. §1.324(b)(3)  
Patent No. 6,953,836  
Attorney's Docket No. 39780-2730P1C27



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent No.: 6,953,836 ) Examiner: Landsman, Robert  
Issued: October 11, 2005 ) Art Unit: 1647  
Title: **PRO844 POLYPEPTIDES** ) Attorney's Docket No. 39780-2730P1C27  
Inventors: Desnoyers, et al. ) Customer No. 35489

**EXPRESS MAIL LABEL NO. EL 976 551 952 US**

Date Mailed:

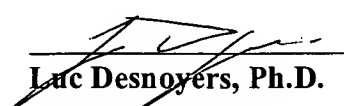
**STATEMENT OF CURRENTLY NAMED INVENTORS**  
**UNDER 37 C.F.R. § 1.324(b)(2)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

We, Luc Desnoyers, Audrey Goddard, Paul J. Godowski, Austin Gurney and William I. Wood, the currently named joint inventors in the above-identified patent, hereby state that we agree to the addition of Ellen Filvaroff as an inventor, as requested in a petition to correct inventorship pursuant to 35 U.S.C. § 256.

Respectfully submitted,

  
\_\_\_\_\_  
**Luc Desnoyers, Ph.D.**

04/10/2006  
\_\_\_\_\_  
Date

\_\_\_\_\_  
**Audrey Goddard, Ph.D.**

\_\_\_\_\_  
Date

\_\_\_\_\_  
**Paul J. Godowski, Ph.D.**

\_\_\_\_\_  
Date

\_\_\_\_\_  
**Austin Gurney, Ph.D.**

\_\_\_\_\_  
Date

\_\_\_\_\_  
**William I. Wood, Ph.D.**

\_\_\_\_\_  
Date

SV 2197046 v1  
4/4/06 2:22 PM (39780.2730)

Statement Under 37 C.F.R. §1.324(b)(2)  
Patent No. 6,953,836  
Attorney's Docket No. 39780-2730P1C27



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent No.: 6,953,836 ) Examiner: Landsman, Robert  
Issued: October 11, 2005 ) Art Unit: 1647  
Title: **PRO844 POLYPEPTIDES** ) Attorney's Docket No. 39780-2730P1C27  
Inventors: Desnoyers, et al. ) Customer No. 35489

EXPRESS MAIL LABEL NO. EL 976 551 952 US

Date Mailed:

**STATEMENT OF CURRENTLY NAMED INVENTORS**  
**UNDER 37 C.F.R. § 1.324(b)(2)**

Commissioner for Patents -  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

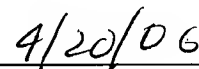
We, Luc Desnoyers, Audrey Goddard, Paul J. Godowski, Austin Gurney and William I. Wood, the currently named joint inventors in the above-identified patent, hereby state that we agree to the addition of Ellen Filvaroff as an inventor, as requested in a petition to correct inventorship pursuant to 35 U.S.C. § 256.

Respectfully submitted,

\_\_\_\_\_  
**Luc Desnoyers, Ph.D.**

\_\_\_\_\_  
Date



  
Date

\_\_\_\_\_  
**Audrey Goddard, Ph.D.**

\_\_\_\_\_  
Date

\_\_\_\_\_  
**Paul J. Godowski, Ph.D.**

\_\_\_\_\_  
Date

\_\_\_\_\_  
**Austin Gurney, Ph.D.**

\_\_\_\_\_  
Date

\_\_\_\_\_  
**William I. Wood, Ph.D.**

\_\_\_\_\_  
Date

SV 2197046 v1  
4/4/06 2:22 PM (39780.2730)

Statement Under 37 C.F.R. §1.324(b)(2)  
Patent No. 6,953,836  
Attorney's Docket No. 39780-2730P1C27





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent No.: 6,953,836 ) Examiner: Landsman, Robert  
Issued: October 11, 2005 ) Art Unit: 1647  
Title: **PRO844 POLYPEPTIDES** ) Attorney's Docket No. 39780-2730P1C27  
Inventors: Desnoyers, et al. ) Customer No. 35489

EXPRESS MAIL LABEL NO. EL 976 551 952 US

Date Mailed:

**STATEMENT OF CURRENTLY NAMED INVENTORS**  
**UNDER 37 C.F.R. § 1.324(b)(2)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

We, Luc Desnoyers, Audrey Goddard, Paul J. Godowski, Austin Gurney and William I. Wood, the currently named joint inventors in the above-identified patent, hereby state that we agree to the addition of Ellen Filvaroff as an inventor, as requested in a petition to correct inventorship pursuant to 35 U.S.C. § 256.

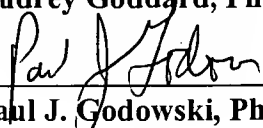
Respectfully submitted,

\_\_\_\_\_  
**Luc Desnoyers, Ph.D.**

\_\_\_\_\_  
Date

\_\_\_\_\_  
**Audrey Goddard, Ph.D.**

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
**Paul J. Godowski, Ph.D.**

4/11/06  
\_\_\_\_\_  
Date

\_\_\_\_\_  
**Austin Gurney, Ph.D.**

\_\_\_\_\_  
Date

\_\_\_\_\_  
**William I. Wood, Ph.D.**

\_\_\_\_\_  
Date

SV 2197046 v1  
4/4/06 2:22 PM (39780.2730)

Statement Under 37 C.F.R. §1.324(b)(2)  
Patent No. 6,953,836  
Attorney's Docket No. 39780-2730P1C27



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent No.: 6,953,836 ) Examiner: Landsman, Robert  
Issued: October 11, 2005 ) Art Unit: 1647  
Title: PRO844 POLYPEPTIDES ) Attorney's Docket No. 39780-2730P1C27  
Inventors: Desnoyers, et al. ) Customer No. 35489

EXPRESS MAIL LABEL NO. EL 976 551 952 US

Date Mailed:

**STATEMENT OF CURRENTLY NAMED INVENTORS**  
**UNDER 37 C.F.R. § 1.324(b)(2)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

We, Luc Desnoyers, Audrey Goddard, Paul J. Godowski, Austin Gurney and William I. Wood, the currently named joint inventors in the above-identified patent, hereby state that we agree to the addition of Ellen Filvaroff as an inventor, as requested in a petition to correct inventorship pursuant to 35 U.S.C. § 256.

Respectfully submitted,

\_\_\_\_\_  
Luc Desnoyers, Ph.D.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Audrey Goddard, Ph.D.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Paul J. Godowski, Ph.D.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Austin Gurney, Ph.D.

\_\_\_\_\_  
Date

\_\_\_\_\_  
William I. Wood, Ph.D.

\_\_\_\_\_  
Date

SV 2197046 v1  
4/4/06 2:22 PM (39780.2730)

Statement Under 37 C.F.R. §1.324(b)(2)  
Patent No. 6,953,836  
Attorney's Docket No. 39780-2730P1C27



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent No.: 6,953,836 ) Examiner: Landsman, Robert  
Issued: October 11, 2005 ) Art Unit: 1647  
Title: **PRO844 POLYPEPTIDES** ) Attorney's Docket No. 39780-2730P1C27  
Inventors: Desnoyers, et al. ) Customer No. 35489

EXPRESS MAIL LABEL NO. EL 976 551 952 US  
Date Mailed:

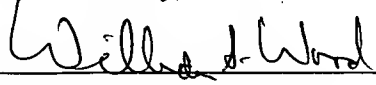
**STATEMENT OF CURRENTLY NAMED INVENTORS**  
**UNDER 37 C.F.R. § 1.324(b)(2)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

We, Luc Desnoyers, Audrey Goddard, Paul J. Godowski, Austin Gurney and William I. Wood, the currently named joint inventors in the above-identified patent, hereby state that we agree to the addition of Ellen Filvaroff as an inventor, as requested in a petition to correct inventorship pursuant to 35 U.S.C. § 256.

Respectfully submitted,

_____ <b>Luc Desnoyers, Ph.D.</b>	_____ Date
_____ <b>Audrey Goddard, Ph.D.</b>	_____ Date
_____ <b>Paul J. Godowski, Ph.D.</b>	_____ Date
_____ <b>Austin Gurney, Ph.D.</b>	_____ Date
 _____ <b>William I. Wood, Ph.D.</b>	<u>4/10/06</u> Date

SV 2197046 v1  
4/4/06 2:22 PM (39780.2730)